

CHAPTER NO. 215

HOUSE BILL NO. 2056

By Representatives McMillan, Hargrove

Substituted for: Senate Bill No. 1929

By Senators Crutchfield, Trail

AN ACT to amend Tennessee Code Annotated, Title 56, relative to the filing of policies and forms with the commissioner, the filing of annual statements by county mutual fire insurance companies, the filing of premium tax for surplus lines insurance, and professional liability reciprocal insurance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 56-2-301, is amended by deleting subsection (b) in its entirety and replacing it with the following language:

(b) The commissioner is hereby authorized to promulgate rules and regulations to allow for the filing of documents with the commissioner pursuant to this Title through a designated filing depository.

SECTION 2. Tennessee Code Annotated, Section 56-2-301, is amended by adding the following language as a new properly designated subsection:

() Regulations promulgated pursuant to this section shall have the same force and effect of law.

SECTION 3. Tennessee Code Annotated, Section 56-5-307, is amended by adding the following language as new properly designated subsection:

() A company shall not be limited in the number of rate filings which a company may file in any one (1) calendar year. However, should a company make more than one (1) rate filing in one (1) calendar year for a single type of insurance coverage, the company shall pay to the commissioner for each such additional rate filing the fee of two hundred and fifty dollars (\$250) as well as all costs incurred by the commissioner for an actuarial review of the rate filing. The foregoing fee and cost requirements shall not apply to advisory prospective loss cost filings by the commissioner's designated rate service organization.

SECTION 4. Tennessee Code Annotated, Section 56-7-1901, is amended by deleting the section in its entirety and replacing it with the following language:

Except as provided in 56-7-1304, if an insurance company does not intend to renew a contract of any kind of personal risk insurance identified in Tenn. Code Ann. 56-5-302(5), the company shall mail or deliver to the named insured, at the address shown in the policy, notice of its intention not to renew at least thirty (30) days prior to the expiration of the policy.

SECTION 5. Tennessee Code Annotated, Section 56-14-113(a)(2), is amended by inserting the following new language between the fifth and sixth sentences of the subsection:

The surplus lines agent shall report and pay the tax on or before March 1 of each year for all business reported by the agent to the commissioner between July 1 and December 31 of the previous year. The surplus lines agent shall report and pay the tax on or before September 1 of each year for all business reported by the agent to the commissioner between January 1 and June 30 of each year.

SECTION 6. Tennessee Code Annotated, Title 56, Chapter 17, is amended by deleting the chapter in its entirety.

SECTION 7. Tennessee Code Annotated, Section 56-22-133, is amended by deleting the section in its entirety and replacing it with the following:

Every company operating under this chapter shall file an annual statement with the commissioner on or before March 1 of each year that reports the company's financial condition and business on December 31 of the previous year. The annual statement shall be submitted on such form as the commissioner shall prescribe, and shall be accompanied by a fee of fifty dollars (\$50.00). Failure to comply with this section shall subject a company to the sanctions provided for in Tennessee Code Annotated, Section 56-1-502.

SECTION 8. Section 4 of this act shall take effect on January 1, 2004, the public welfare requiring it. This Act, for all other purposes, shall take effect upon becoming a law, the public welfare requiring.

PASSED: May 15, 2003


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 29th day of May 2003


PHIL BREDESEN, GOVERNOR